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October 27, 2016

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: Notice of Ex Parte Communication, WC Docket Nos. 10-90,
14-58 and 14-259

Dear Secretary Dortch:

On October 25, 2016, the undersigned, along with Jeffrey S. Nordhaus, Executive Vice President, Innovation & Broadband, Empire State Development (“ESD”), and Charles Small, Associate Director of Federal Affairs of the Washington D.C. Office of Governor Andrew Cuomo of New York, had a conference call with Nicholas Degani, Commissioner Ajit Pai’s legal advisor, to discuss the recent Petition for Expedited Waiver ESD submitted in the above-referenced proceedings.

Mr. Nordhaus stated during the call that a waiver of the competitive bidding rules would allow carriers in New York to receive funding directly from the Connect America Fund in coordination with the State’s broadband program. Grant of the petition would thus align the federal and state broadband funding processes, dramatically speeding the deployment of broadband infrastructure to rural communities in New York. Mr. Small also noted that the waiver would facilitate deployment of the type of high-speed broadband services that Commissioner Pai has recently championed. Finally, I argued that good cause exists for grant of the waiver due to the unique circumstances surrounding New York’s broadband funding program.

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Should you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/

John M. Beahn

Counsel to Empire State Development

cc: Nicholas Degani